

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

**CIVIL MINUTES – JURY TRIAL
Day 1**

Case No.: 7:20CV134

Date: 8/16/2021

Mountain Valley Pipeline, LLLC
Plaintiff

Counsel: Seth Land and Wade Massie

v.
**8.37 Acres of Land, Owned by Frank H.
Terry, Jr., John Coles Terry, III, and
Elizabeth Lee Terry**
Defendant

Counsel: Joseph Sherman and William
Newman

PRESENT: JUDGE: Elizabeth K. Dillon
TIME IN COURT: 8:50am – 10:28am, 10:34am – 11:25am, 12:57pm –
2:32pm, 2:49pm – 3:18pm (4 hours 33 min)
Deputy Clerk: B. Davis
Court Reporter: M. Butenschoen

PROCEEDINGS:

Comments from the Court and Counsel out of the presence of the jury.

Panel 1:

14 jurors present and sworn on Voir Dire.

1 jurors struck for cause.

3 jurors struck by Plaintiff.

3 jurors struck by Defendant.

7 jurors sworn member jury impaneled and sworn. Remaining jurors discharged.

Preliminary remarks and instructions to jury by Court.
 Plaintiff's Motion to Exclude Witnesses from Courtroom granted.
 Opening Statements.

Plaintiff's Motion for Mistrial and Motion for Attorney's Fees and Costs.
 The Court grants the Motion for Mistrial.
 The Court takes under advisement the Motion for Attorney's Fees and Costs.

Mistrial declared.
 Mistrial declared Jury discharged